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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UNITED STATES OF AMERICA,)	Case No.: CR-07-00499 RMW
)	
Plaintiff,)	SENTENCING MEMORANDUM
)	
vs.)	
)	Date: May 19, 2008
GORDON JENSEN,)	Time: 9:00 a.m.
)	Judge Whyte
Defendant)	

I.

Mr. Jensen plead guilty to one count of 18 U.S.C. §2252(a)(4)(B), Possession of Matters Containing Any Visual Depiction of a Minor Engaging in Sexually Explicit Conduct. The pre-sentence investigation report calculates Mr. Jensen's offense level to be 25 and a criminal history of a category I, which would give a sentencing range of imprisonment of 57 to 71 months. The defendant does not dispute the accuracy of that calculation.

Mr. Jensen does respectfully request the Court to sentence him to 57 months or less. Mr. Jensen became involved with child pornography in 1997 or 1998 by merely viewing pictures. He became "addicted" to possessing these pictures about one month prior to a search warrant execution at his home in June of 2006, which resulted in this case being filed. 136 images of child pornography were found on his computer. How Mr. Jensen came to possess this child pornography is a sordid story of drug and sexual addictions. The drug addictions, beginning with alcohol, then cocaine, and finally

1 methamphetamine, were fueled not only by Mr. Jensen's addictive personality, but also due to his
2 childhood. An older male cousin sexually molested Mr. Jensen as a boy for years. This kind of
3 oversexualization at such a young age is usually always followed by similar conduct by the abusee once
4 they get old enough. According to Mr. Jensen's sister, that is exactly what happened here. She reported
5 to the Probation Department that Mr. Jensen had abused her when he was an early teen; she is 3 years
6 younger than Mr. Jensen. Despite this, over the years, the two siblings have a good relationship and
7 talk frequently.

8 Other side effects from early childhood sexual victimization are drug and alcohol dependence.
9 Mr. Jensen began drinking alcohol heavily when he was still a teenager. The heavy drinking and
10 dependence on altering his mood, led him to cocaine and crack, which eventually led to
11 methamphetamine.

12 Further, the records indicate that as early as 1999, Mr. Jensen was concerned that he may have a
13 sexual addiction. These two addictions, sex and drugs and alcohol, were a powerful component that led
14 Mr. Jensen into the vile area of child pornography.

15 Despite all the problems Mr. Jensen had as a child, and then later as an adult, dealing with his
16 victimization, Mr. Jensen accepts full responsibility for his conduct in this case. Mr. Jensen now knows
17 what a horrible crime it is to view and possess child pornography. At the time he was involved with it
18 however, due to his completely warped sense of reality due to his addictions, he could not fully realize
19 the harm he was causing by possessing such harmful material.

20 What stopped Mr. Jensen from continuing this vicious cycle of behavior was the FBI knocking
21 on his door that day back in June of 2006. Mr. Jensen believes that day to be the best day of his life
22 because he was forced with knowing the reality of his destructive and illegal personal life. Immediately
23 after the FBI came to his house with the search warrant, Mr. Jensen voluntarily went into drug treatment
24 and also sexual addiction treatment. It has been almost two years since that fatal knock on the door, and
25 Mr. Jensen has been clean and sober every day, ever since. He has also had the good fortune of meeting
26 a woman and they have recently married, a good showing that both the drug treatment and the sexual
27 therapy treatment are having a profound impact on his life.
28

1 In conclusion, Mr. Jensen asks the court to take into consideration what he has done since June
2 of 2006, when he was no longer using methamphetamine and other drugs. Mr. Jensen has made great
3 strides in that time and he realizes he must be punished for his behavior in this case. However, a
4 sentence of 57 months or lower is still certainly severe and would appropriately and justly punish Mr.
5 Jensen for his crime.

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7 Dated: May 16, 2008

8 By: S. Stephen P. Naratil
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10 Attorney for Defendant,
11 Gordon Jensen
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